Influence of relatives of Judges

†2051. SHRI R.S. GAVAI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the influence of relatives of judges is increasing in the legal profession;

(b) if so, whether Government are contemplating to make any law or code of conduct to curb this tendency;

(c) if so, the details thereof; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (d) Though the relatives of the Judges can practise in the same courts where the related Judge is on the Bench, Clause 6 of the Bar Council of India Rules as provided below restricts the influence of the relatives of judges in the legal profession;

"6. An Advocate shall not enter appearance, act, plead or practice in any way before a Court, Tribunal, or Authority mentioned in Section 30 of the Act, if the sole or any member thereof is related to the Advocate as father, grandfather, son, grand-son, uncle, brother, nephew, first cousin, husband, wife, mother, daughter, sister, aunt, niece, father-in-law, mother-in-law, brother-in-law, daughter-in-law or sister-in-law.

For the purpose of this rule, Court shall mean a Court, Bench or tribunal in which above mentioned relation of the Advocate is a Judge, Member or the Presiding Officer."

In terms of the Advocates Act 1961, powers for taking any disciplinary action against advocates, who have been found appearing in the Court in which his relation is sitting on the Bench, vest in either the State Bar Council or the Bar Council of India.

Expenditure on Election

†2052. SHRI MOTILAL VORA: Will the Minister of LAW AND JUSTICE be pleased to refer to the reply to starred question 213 given in the Rajya Sabha on the 8th August, 2005 and state:

(a) the recommendation of the Election Commission which were considered by Government and Government's reaction thereto; and

(b) by when Government are likely to consider the remaining recommendations?

†Original notice of the question was received in Hindi.